

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GONZALO GARCIA, et al.,

Plaintiffs,

vs.

FORD MOTOR CO., et al.,

Defendants.

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Case No. 4:05CV02197 RWS

MEMORANDUM AND SANCTIONS ORDER

In my Memorandum and Order dated January 22, 2007, I granted Defendants' Motion for Sanctions pursuant to 28 U.S.C. § 1927 [#31]. On September 14, 2007, I modified my January 22, 2007 order and entered sanctions against Plaintiffs for attorney's fees and costs incurred by Defendants for the period of September 1, 2006 through September 12, 2006, which I found to be the amount of time necessary to supplement the record regarding Plaintiffs' lack of cooperation with my order, and for the costs incurred in bringing the motion for sanctions [#31]. I therefore ordered Defendants to resubmit their fee applications for sanctions against Plaintiffs.

According to Defendant Ford Motor Company's Revised Statement of Fees and Expenses [#96], the total fees and costs that Ford incurred in bringing its motion for sanctions were \$46,070.93 (\$45,156.00 in attorneys' fees and \$914.93 in expenses and costs). The total fees and costs that Ford incurred from November 18, 2005 through January 22, 2007 were \$33,504 (\$21,753.00 in attorneys' fees, \$11,519.14 in expert witness fees and \$232.16 in costs). The prior amounts combined with the new amounts equal a combined total for Ford's fees, expenses and costs of \$79,575.23.


According to Defendant Michelin North America's Fee Statement [#97], the total fees and costs that Michelin incurred in bringing its motion for sanctions were \$1520.39. The total fees and costs that Michelin incurred from September 1, 2006 through September 12, 2006 were \$8,075.06 (\$7802.81 in attorneys' fees and \$272.25 in costs). The prior amounts combined with the new amounts equal a combined total for Michelin's fees, expenses and costs of \$9,595.45.

Plaintiffs do not dispute Ford Motor Company's Revised Statement of Fees and Expenses [#96], nor do they dispute Michelin North America's Fee Statement [#97]. I will therefore levy sanctions against Plaintiffs in the above amounts. Plaintiffs shall be subject to the Federal Rules of Civil Procedure for any future filings.

Accordingly,

IT IS HEREBY ORDERED that sanctions shall be levied against Plaintiffs in the amount of \$79,575.23, to be paid to Defendant Ford Motor Company.

IT IS FURTHER ORDERED that sanctions shall be levied against Plaintiffs in the amount of \$9,595.45, to be paid to Defendant Michelin North America.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 4th day of February, 2008.